

Minutes of Plan Commission Meeting April 16, 2019

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O'Neill, Tom Kolb, and Kate Fitzwilliams.

Also in attendance were Administrator Geick, Tom Pinion, Alison & Mike Taber

Call to Order

- a. **Note compliance with the Open Meeting Law.** Wedekind noted compliance with the Open Meeting Law.
- b. **Agenda Approval:** It was moved by O'Neill, seconded by Franzen to approve the agenda as posted. Motion carried unanimously.
- c. **Minutes Approval:** It was moved by Liston, seconded by Kolb to approve the minutes of the February 19, 2019 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) –There were no speakers.

New Business

- a. **Review and approve signage plan for the proposed retail firearms store at 1223 South Blvd.** – Pinion said he received any email today stating that something came up and the Zawistowskis' were unable to attend the meeting. It was moved by Kolb, seconded by Liston to postpone this request until the May Plan Commission meeting. On roll call vote for the motion – Ayes – Thurow, Franzen, Liston, O'Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.
- b. **Request by Alison Taber, d/b/a Tuttle Heights LLC, to review a conceptual development plan in accordance with Step 2 of the PUD Process to subdivide the existing property (1425/1427 Tuttle Street & 522/624 13th Street) and change the underlying zoning to R-3 One to Four Family Multi-Family Residential** – Pinion presented the background for this request. He said that the owners purchased the Heritage Heights property which is located on NE corner of Albert and Tuttle, it consists of two buildings, one that faces Tuttle Street, and the other that has a driveway on 13th Street. These two buildings were built in 1973; building permits were issued within a couple months of each other and were built on a single tax parcel. Mr. and Mrs. Taber purchased the property in 2016 and are looking to sell them individually. The Tabers would like to create a property line between the two buildings. Pinion said that mysteriously the property is zoned R-1A, and he thought it was zoned R-2, and when the major rezoning was done in 2004, it fell into R-1A. He said that technically with the single-family zoning, the property would be a legal nonconforming use because it is more than a single-family home. He said there are three units in the Tuttle Street building, and four units in the 13th Street building. He said the appropriate zoning category would be R-3, which could be done. He irrespective of the zoning classification, if the land is divided, the buildings cannot comply with the side yard and rear yard setbacks, which is what creates the need for a PUD to allow the reduced setbacks. Pinion said that the property owners would also need a CSM to separate the properties. Liston expressed concern regarding the number of PUDs coming before the Commission, which seems to create spot zoning. Alison and Mike Taber introduced themselves to the Commission. It was the consensus of the Commission to move forward with the PUD process as requested.

Adjournment - It was moved by Liston, seconded by Kolb to adjourn at 5:31 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee